

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Jeffrey McCrobie,

Plaintiff,

VS.

JDS Recovery, LLC,

Defendant.

CASE NO. 5:13CV0019

JUDGE JOHN R. ADAMS

ORDER

The complaint in this action was filed on January 3, 2013. Fed. R. Civ. P. 4(m) requires the plaintiff to serve the summons and complaint upon the defendant within 120 days after the complaint is filed.

Upon review of the doc ket, it is unclear whether service has been executed upon the defendants. If more than 120 days are needed to effect service of process, counsel for plaintiff should execute an affidavit advising the Court why service could not be timely made upon the defendant in order to avoid dismissal. The affidavit or response to the within Order must be filed on or before July 1, 2013.

If the plaintiff cannot show good cause why such service was not made within 120 days after the filing of the complaint, the action will be dismissed without prejudice. *Moncrief v. Stone*, 961 F.2d 595, 596 (6th Cir. 1992) (discussing Fed. R. Civ. P. 4(j), now codified as Fed. R. Civ. P. 4(m)).

IT IS SO ORDERED.

Date: June 17, 2013

s/John R. Adams
JOHN R. ADAMS
UNITED STATES DISTRICT JUDGE